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April 16, 2025

VIA CM/ECF

Honorable Margaret M. Garnett
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *State of New York v. Puff Bar, et al.*; Civil Action No. 25-cv-1445-MMG
Letter Motion for Leave to Appear Remotely at Rule 16 Conference

Dear Judge Garnett:

I represent Puff Bar, EVO Brands, LLC, and PVG2, LLC in the above-referenced action. I write at this time to request that, in the event the Court denies the pending request for a continuance of the Rule 16 Scheduling Conference (ECF No. 41), the Court permit me to appear remotely—via Zoom or other virtual means—not only for the April 23, 2025, conference, but for all subsequent conferences and proceedings in this matter.

As noted in Defendants' April 3, 2025 letter motion (ECF No. 41), a 30-day postponement of the Rule 16 conference was requested to provide the Court an opportunity to review forthcoming motions to transfer venue and dismiss prior to the conference. That motion remains pending.

Due to commitments made prior to the commitment of this litigation, it is necessary for me to remain in southern California for the near future; consequently, travel to New York or elsewhere is unfortunately an impossibility for me at this time. In addition, travel by me to New York would impose undue financial strain on my clients, who are not in a position to cover such expenses. Remote appearance would allow me to fully participate in all proceedings while minimizing unnecessary costs and logistical burdens.

For these reasons, I respectfully request that, should the Court deny the continuance requested in ECF No. 41, I be permitted to appear remotely at the April 23 conference and further that I be granted leave to appear remotely for the duration of this litigation should settlement attempts fail.

Thank you for the Court's attention to this request.

Respectfully submitted,
Mary Bielaska
Mary G. Bielaska, Esq.

Counsel for Puff Bar, EVO Brands, LLC, and PVG2, LLC
cc: All counsel of record (via ECF)